

REMARKS/ARGUMENTS

Amendments in General / Claim Rejections - 35 U.S.C. § 112

1. Claims 1, 2, 4, 6, 7, 8, and 10-19 were objected to because of informalities. The Examiner suggested a number of changes to overcome these objections.

a. Applicant has taken the Examiner's suggestions with respect to claims 1, 2, 4, 7, 8, 10-12, and 14-19.

b. With regard to the rejection on page 2 of the Office Action that "[i]n claims 6, 13 although the nut is reversibly threaded on the thrust collar plate; it is unclear as to what affect or criticality stems from this structural relationship," Applicant disagrees that "essential structural cooperative relationship of elements, such omission amounting to a gap between the necessary structural connections" are missing. Claims 6 and 13 are directed to the fact that structure dictates that the nut can move in a first direction (as defined) or a second direction (as defined). Subsequently, claims 7/8 and 13/14 define what happens when (respectively) the nut moves in the first direction or the second direction. The "essential structural cooperative relationship of elements" is present. No "gap between the necessary structural connections" is present. Applicant respectfully disagrees. If the Examiner is still of his original opinion, further clarification of the Examiner's position is necessary.

Claim Rejections - 35 USC § 102

2. The Examiner rejected claims 1-2 under §102(b) as being anticipated by Artzberger, USPN 4,784,519.

3. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 828 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). MPEP § 2131.

4. The Examiner argues that Artzberger shows a:

pitch controller (23) for varying the pitch of said blades by rotating said blades (9) about the longitudinal axis of said blades .. [and] .. A clutch (20, 21) for selectively engaging and disengaging said pitch controller. Wherein said pitch controller (23) comprises a thrust collar

(23) having a plate (23) configured to bear downwardly on said rotatable blade assembly (8) thereby varying the pitch of said blades (9).

5. Applicant respectfully disagrees with the Examiner, in that Applicant believes that Artzberger does not show such structure.

6. Artzberger shows a thrust collar (23) which can be pushed downwardly by the inner end (31) of the pitch control arm (28). This thrust collar assembly then bearing down upon the heads (19) of pads (18) to cause a change in pitch in the blades. Built within the thrust collar assembly is a swash plate (20) used in conjunction with a pair of cam rollers (35) for allowing some of the heads (19) to be depressed further than other heads thereby pitching the blades unevenly and resulting in the ability to control the direction the trowel can move across the concrete.

7. Contrary to the Examiner's position, Artzberger's pitch varying mechanism is not a clutch for selectively engaging or disengaging said pitch controller.

8. As such, the Artzberger reference does not anticipate claims 1 or 2 of the present invention and said claims are patentable there over.

Conclusion

If the Examiner feels it would advance the application to allowance or final rejection, the Examiner is invited to telephone the undersigned at the number given below.

Reconsideration and allowance of the application as amended is respectfully requested.

DATED this 9th day of March 2005.

Very respectfully,



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